



INTELLECTUAL PROPERTY
402-391-4448

JAMES D. WELCH
ATTORNEY AT LAW
PROFESSIONAL ENGINEER

11W AF

10328 PINEHURST AVE.
OMAHA, NEBRASKA 68124

May 10, 2009

Commissioner for Patents
Box: 1450
Alexandria, VA 22313-1450

RE: APPLICATION OF WELCH TITLED: "METHOD OF PROVIDING AUDIO
FORMAT PROFESSIONAL INFORMATION UPDATE SERVICE FOR PAYMENT,
VIA INTERNET";
SERIAL NO.: 10/796,162;
FILE DATE: 03/09/2004;
ART UNIT: 3625;
EXAMINER: POND, R.

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Dear Sir;

I am in receipt of a Notification of Non-Compliance dated 04/30/2009, provided by Darlene Brown, regarding the identified Appeal Brief. Please find accompanying a Revised Appeal Brief which it is believed overcome the problems. It is believed that no additional Fee is due.

In the accompanying Revised Brief, all Amendments to Claims are entered, and all Claims are now identified as (Previously Amended) or (Original).

Further in the Status of the Claims Section, a separate listing of the Claims, with their Status identified, is entered.

Also, in the Summary of the Claimed Subject Matter, the

Independent Claims are identified and cross-reference to the Original Specification is provided to show support.

Finally, copies of Prior Art provided in the Original Brief in Pages 39-114 are not provided herewith, as they are not "evidence" as that terminology is used in the present context. It is also noted that the Originally Submitted Brief had 115 pages, with the last Page being the Related Proceedings Section, (which apparently did was not received at the PTO, or perhaps was not scanned).

Should problems remain, please do phone me with specific directions as to how best to overcome any remaining deficiencies.

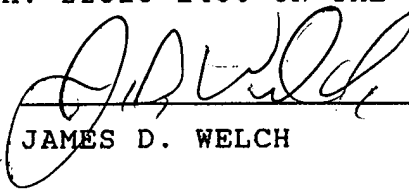
Sincerely,


JAMES D. WELCH

JW/hs

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS TRANSMITTAL IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE FOR FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO THE COMMISSIONER FOR PATENTS, BOX: 1450, ALEXANDRIA VA. 22313-1450 ON THE DATE INDICATED BELOW.


JAMES D. WELCH

5/06/09
DATE